

Amendment and Response
Applicants: John C. Oslund et al.
Serial No.: 10/823,139

Attorney Docket: ev31010USD1

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in this application:

1 (Currently amended). A distal protection device disposable within a vessel of a body, comprising:

a filter basket positionable at a desired axial location within the vessel, said

filter basket having a closed distal end and an open proximal end;

a movable ferrule attached to the filter basket at the open proximal end of said filter basket; and

a self-expanding radial member associated with said filter basket in proximity to the proximal end thereof, said member being adapted to maintain the proximal end of said filter basket in an opened configuration; and

a guidewire upon which said filter basket and said movable ferrule are disposed, wherein said guidewire extends axially within said filter basket, and

wherein the movable ferrule allows the open proximal end of the filter basket to move axially along the guidewire.

2 (Cancelled).

3 (Currently amended). The distal protection device of Claim ~~[[2]]~~ 1, wherein ~~an opposite the closed distal~~ end of said filter basket is fixedly attached to said guidewire.

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4 (Currently amended). The distal protection device of Claim [[2]] 1, wherein said filter basket is in the shape of a windsock, ~~and said guidewire extends axially along said windsock.~~

5 (Currently amended). The distal protection device of Claim [[2]] 1, wherein said ~~filter basket~~ distal protection device includes a tube attached to the closed distal end of the filter basket and disposed within the filter basket and through which said guidewire extends.

6 (Currently amended). The distal protection device of Claim [[2]] 1, wherein said radial member comprises a loop, and wherein said loop is generally circular in shape.

7 (Currently amended). The distal protection device of Claim 3, wherein said filter basket is in the shape of a windsock, ~~and said guidewire extends axially along said windsock.~~

8 (Original). The distal protection device of Claim 3, wherein said filter basket includes a tube through which said guidewire extends.

9 (Original). The distal protection device of Claim 3, wherein said radial member comprises a loop, and wherein said loop is generally circular in shape.

10 (Original). The distal protection device of Claim 1, wherein said radial member is formed in a "C" configuration.

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11 (Original). The distal protection device of Claim 1, wherein said radial member is formed in a "J" configuration.

12 (Original). The distal protection device of Claim 1, wherein said radial member is formed in a spiral configuration.

13 (Original). The distal protection device of Claim 6, wherein said radial loop is made of nitinol wire.

14 (Original). The distal protection device of Claim 6, wherein said loop is radiopaque.

15 (Original). The distal protection device of Claim 6, wherein said loop is covered by a radiopaque material.

16 (Original). The distal protection device of Claim 6, wherein said loop, in its expanded state, generally defines a plane substantially perpendicular to said guidewire.

17 (Original). The distal protection device of Claim 6, wherein said loop, in its expanded state, is deployed at an angle of between 45 degrees and 90 degrees to said guidewire.

18 (Original). The distal protection device of Claim 6, wherein said filter basket and said loop are adapted to be collapsed to fit into a small diameter delivery catheter.

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Claims 19 to 30 (Canceled).

31(Currently amended). The distal protection device of Claim [[2]] 1, wherein said ~~filter basket~~ distal protection device includes a tube attached to the closed distal end of the filter basket and disposed within the filter basket and through which said guidewire extends, and wherein the ferrule ~~end which is free floating~~ cooperates with said guidewire in a manner which allows the ~~free floating~~ proximal end of the filter basket to move axially along the guidewire until ~~the~~ ferrule engages an end of the tube.

Claims 32 to 55 (Canceled).

56 (Original).The distal protection device of Claim 6, further comprising alignment maintenance means for precluding rotation of said loop relative to said proximal end of said filter basket.

57 (Original).The distal protection device of Claim 56 wherein said alignment maintenance means comprises at least one axially extending tether mating a point on said loop to a corresponding point at said proximal end of said filter basket.

58 (Original).The distal protection device of Claim 57 wherein said alignment maintenance means comprises a plurality of said tethers.

59 (Currently amended). A method for capturing debris produced during a medical procedure in a human vessel, comprising the steps of:

(i) providing a distal protection device disposable within a vessel of a body, comprising:

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a filter basket positionable at a desired axial location within the vessel, said filter basket having a closed distal end and an open proximal end;
a movable ferrule attached to the filter basket at the open proximal end of said filter basket;
a self-expanding radial member associated with said filter basket in proximity to the proximal end thereof, said member being adapted to maintain the proximal end of said filter basket in an opened configuration; and
a guidewire upon which said filter basket and said movable ferrule are disposed, wherein said guidewire extends axially within said filter basket, and
wherein the movable ferrule allows the open proximal end of the filter basket to move axially along the guidewire; and
(ii) positioning [[a]] the filter basket, having a closed distal end and an open proximal end, at a desired axial location within the vessel; and
coupling a generally radially self-expanding member to the filter basket proximate the proximal end of the filter basket to maintain the proximal end of the filter basket in an opened configuration.

60 (Canceled).

61 (Currently amended). A method for capturing debris produced during a medical procedure in a human vessel, comprising the steps of:

providing a collapsible assembly including a filter basket positionable at a desired axial location within the vessel, the filter basket having a closed distal end and an open proximal end when the filter basket is deployed, a movable ferrule attached to the filter basket at the open

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proximal end of the filter basket, and a generally radially self-expanding member disposed relative to the filter basket proximate the proximal end thereof, said member being adapted to maintain the proximal end of the filter basket in an opened configuration, when deployed, and a guidewire upon which said filter basket and said movable ferrule are disposed, wherein said guidewire extends axially within said filter basket, and wherein the movable ferrule allows the open proximal end of the filter basket to move axially along the guidewire;

inserting a catheter, confining said assembly in a collapsed configuration, into the human vessel; and

deploying the assembly from the catheter to allow said member to urge a mouth defined by the proximal end of the filter basket into engagement with an inner surface of the vessel.

62 (Currently amended). A distal protection device disposable within a vessel of a body comprising:

a guidewire;

a ~~tube~~ ring shaped element having a lumen sized to receive the guidewire;

a filter basket connected to the ~~tube~~ ring shaped element, the filter basket having a closed distal end and an open proximal end; and

a spacing member connected to the ~~tube~~ ring shaped element and positioned proximally of the proximal end of the filter basket, the spacing member being configured to maintain the proximal end of the filter basket in an opened configuration when the device is deployed within the vessel.

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63 (Currently amended). The distal protection device of claim 62 wherein the tube ring shaped element is configured for rotational and axial movement along the guidewire.

64 (Currently amended). The distal protection device of claim 62 wherein the tube ring shaped element is fixed to the guidewire.

65 (Currently amended). A distal protection device disposable within a vessel of a body comprising:

- a guidewire;

- a tube ring shaped element having a lumen sized to receive the guidewire;

- a filter basket connected to the tube ring shaped element, the filter basket having a closed distal end and an open proximal end; and

- a spacing member having a first portion connected to the tube ring shaped element and a second portion opposite the first portion which is configured to contact an inner wall of the vessel at a point of engagement when the device is deployed in the vessel to space the guidewire a desired distance from the point of engagement, the spacing member being positioned proximally of the proximal end of the filter basket.

66 (Currently amended). The distal protection device of claim 65 wherein the tube ring shaped element is configured for rotational and axial movement along the guidewire.

67 (Currently amended). The distal protection device of claim 65 wherein the tube ring shaped element is fixed to the guidewire.

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68 (Currently amended). A distal protection device disposable within a vessel of a body comprising:

- a guidewire;
- a ~~tube~~ ring shaped element having a lumen sized to receive the guidewire;
- a filter basket connected to the ~~tube~~ ring shaped element, the filter basket having a closed distal end and an open proximal end; and
- a spacing member having first and second opposing portions, the first portion being connected to the ~~tube~~ ring shaped element, the second portion being configured to contact an inner wall of the vessel at a point of engagement when the device is deployed in the vessel such that the guidewire is urged in a direction away from the point of engagement, the spacing member being positioned proximally of the proximal end of the filter basket.

69 (Currently amended). The distal protection device of claim 68 wherein the ~~tube~~ ring shaped element is configured for rotational and axial movement along the guidewire.

70 (Currently amended). The distal protection device of claim 68 wherein the ~~tube~~ ring shaped element is fixed to the guidewire.